

³ 20 C.F.R. § 501.3(e) provides in pertinent part: “Any notice of appeal must be filed within 180 days from the date of issuance of a decision of the OWCP.”

180 days from the date of docketing of the current appeal.⁴ In this regard, the Board notes that during the pendency of its appeal from the December 1, 2020 merit OWCP decision under Docket No. 21-0473, OWCP issued an April 22, 2021 decision denying modification of the December 1, 2020 decision. By its decision affirming OWCP's December 1, 2020 merit decision, the Board declared the April 22, 2021 decision null and void, finding that the Board and OWCP may not simultaneously exercise jurisdiction over the same issue(s).⁵ Thus, there is no April 22, 2021 decision over which the Board can properly exercise jurisdiction. As such, the Board concludes that the appeal docketed as No. 21-0923 must be dismissed.⁶ Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 21-0923 is dismissed.

Issued: April 20, 2022
Washington, DC

Alec J. Koromilas, Chief Judge
Employees' Compensation Appeals Board

Janice B. Askin, Judge
Employees' Compensation Appeals Board

Valerie D. Evans-Harrell, Alternate Judge
Employees' Compensation Appeals Board

⁴ *Id.*

⁵ Docket No. 21-0473 (issued January 31, 2022).

⁶ The Board's decisions and orders are "final upon the expiration of 30 days from the date of their issuance." 20 C.F.R. § 501.6(d).